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In re Application of :
AMBROSI :
U.S. Application No.: 10/527,967 :
PCT No.: PCT/EP03/10331 :
Int. Filing Date: 17 September 2003 : COMMUNICATION
Priority Date: 18 September 2002 :
Attorney Docket No.: 740612-193 :
For: SYMMETRICAL HOSE COUPLING :

This application is before the Office of PCT Legal Administration for issues arising under 35 U.S.C. 371.

BACKGROUND

On 17 September 2003, applicant filed international application PCT/EP03/10331, which claimed priority of an earlier application filed 18 September 2002. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 08 April 2004. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 18 March 2005.

On 15 March 2005, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by payment of the full, U.S. basic national fee, an English translation of the international application as filed, an application data sheet and a preliminary amendment.

On 14 September 2005, applicant was mailed a "Notification of Missing Requirements" (Form PCT/DO/EO/905) informing applicant that an executed oath or declaration of the inventor in compliance with 37 CFR 1.497(a)-(b) was required. Applicant was afforded two months to file the required response.

On 26 September 2005, applicant filed a response including an executed combined declaration and power of attorney.

On 28 March 2006, applicant was mailed a "Notification of Defective Response" (Form PCT/DO/EO/916) indicating that the filed declaration did not comply with 37 CFR 1.497(a)-(b) in that it did not identify the citizenship of the inventor. Applicant was afforded the longer of one month from the mail date of the notification or the extendable time remaining from the mail

date of the Form PCT/DO/EO/905 to file a response.

DISCUSSION

A review of the declaration filed 26 September 2005 shows that the declaration identifies the inventor's citizenship as "Germany." As such, all of the requirements of 35 U.S.C. 371 for entry into the national stage in the United States were satisfied with applicant's filing on 26 September 2005.

CONCLUSION

The "Notification of Defective Response" (Form PCT/DO/EO/916) mailed 28 March 2006 is hereby **VACATED**.

This application will be given an international application filing date of 17 September 2003 and a date of **26 September 2005** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the DO/EO/US for processing in accordance with this decision.



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